



COPY OF PAPERS
ORIGINALLY FILED

1646 #5
PATENT

Attorney Docket No.: A-66038-1/RMS/JJD/DLR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FERRICK et al.

Serial No. 09/963,247

Filed: September 25, 2001

For: Methods and Compositions for
Screening for Modulators and IgE
Synthesis, Secretion and Switch
Rearrangement

Examiner: UNKNOWN

Group Art Unit: 1646 JAN 22 2002

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with
the United States Postal Service as First Class Mail in an envelope
addressed to: Commissioner of Patents, Washington, DC 20231
on December 14, 2001

Signed: 

Jere Valles

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Since copies of these references were provided either by the Applicants or the Examiner in United States Serial No. 09/076,624, filed May 12, 1998, upon which the instant application relies for its priority date, in accordance with 37 C.F.R. §1.98(d), no copies of these references are enclosed with this document.

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes

Serial No.: 09/963,247
Filed: September 25, 2001

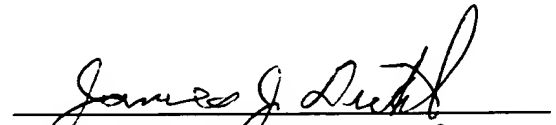
prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required. Although no fee is currently believed to be due, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-66038-1/RMS/JJD/DLR).


Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Dated: Dec. 14, 2001


James J. Diehl, Reg. No. 42,527 for
Robin M. Silva, Reg. No. 38,304

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989



PTO/SB/8A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/963,247
				Filing Date	September 25, 2001
				First Named Inventor	Ferrick, David A.
				Group Art Unit	1646
				Examiner Name	
				Attorney Docket Number	A-66038-1/RMS/JJD/DLR
Sheet	1	of	5		

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

COPY OF PAPERS
ORIGINALLY FILED

Please type a plus sign (+) inside this box → ☐



PTO/SB/8B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/963,247
				Filing Date	September 25, 2001
				First Named Inventor	Ferrick, David A.
				Group Art Unit	1646
				Examiner Name	
Sheet	2	of	5	Attorney Docket Number	A-66038-1/RMS/IJD/DLR

RECEIVED

JAN 22 2002

TECH CENTER 1600/2900

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	C1	ADAM, et al., "Signal Transduction through a Bimolecular Receptor Tyrosine Protein Kinase Composed of a Platelet-derived Growth Factor Receptor-CD4 Chimera and the Nonreceptor Tyrosine Protein Kinase Lck," <i>J Biol Chem.</i> , 268(26):19882-19888 (1993)		
	C2	ALBRECHT, B., et al., "A bifunctional control element in the human IgE germline promoter involved in repression and IL-4 activation," <i>Int. Immunol.</i> 1994 Aug;6(8):1143-51		
	C3	ALLGOOD, et al., "Chimeric Receptors as Gene Switches," <i>Curr Opin Biotechnol.</i> , 8(4):474-479 (1997)		
	C4	AMARA, et al., "A Versatile Synthetic Dimerizer for the Regulation of Protein-Protein Interactions," <i>Proc Natl Acad Sci U S A</i> , 94(20):10618-10623 (1997)		
	C5	ANDERS, et al., "Chimeric Granulocyte/Macrophage Colony-stimulating Factor/Transforming Growth Factor- β (TGF- β) Receptors Define a Model System for Investigating the Role of Homomeric and Heteromeric Receptors in TGF- β Signaling," <i>J Biol Chem.</i> , 271(36):21758-21766 (1996)		
	C6	BAZZONI, et al., "Chimeric Tumor Necrosis Factor Receptors with Constitutive Signaling Activity," <i>Proc Natl Acad Sci U S A</i> , 92(12):5380 (1995)		
	C7	CHEN, et al., "Potentiation of Cytochrome P450/Cyclophosphamide-Based Cancer Gene Therapy By Coexpression of the P450 Reductase Gene," <i>Cancer Res</i> , 57(21):4830-4837 (Nov 1 1997)		
	C8	CLAASSEN et al., "Mechanism of pokeweed mitogen inhibition of rhIL-4-induced human IgE synthesis," <i>Cell Immunol.</i> 140(2):357-69 (Apr 1992)		
	C9	CORMACK et al., "FACS-optimized mutants of the green fluorescent protein (GFP)," <i>Gene</i> 173:33-38 (1996)		
	C10	DECLERCQ, et al., "Dimerization of Chimeric Erythropoietin/75 kDa Tumour Necrosis Factor (TNF) Receptors Transduces TNF Signals: Necessity for the 75 kDa-TNF Receptor Transmembrane Domain," <i>Cytokine</i> , 7(7):701-709 (1995)		
	C11	DESAI, et al., "Ligand-Mediated Negative regulation of a Chimeric Transmembrane Receptor Tyrosine Phosphatase," <i>Cell</i> , 73(3):541-554 (1993)		
	C12	EZERNIEKS, J. et al., "The Human IgE Germline Promoter is Regulated by Interleukin-4, Interleukin-13, Interferon- α and Interferon- γ Via an Interferon- γ -activated Site and its Flanking Regions," <i>Eur. J. Biochem.</i> , 240:667-673 (1996)		
	C13	FERLIN, W. et al., "CD40 Signaling Induces Interleukin-4-Independent IgE Switching In Vivo," <i>Eur. J. Immunol.</i> , 26:2911-2915 (1996)		
	C14	FIERING, et al., "Single Cell Assay of a Transcription Factor Reveals a Threshold in Transcription Activated By Signals Emanating From the T-Cell Antigen Receptor," <i>Genes Dev</i> , 4:1823-1834 (Oct 1990)		
	C15	GAUCHAT JF, et al., "Regulation of human IgE synthesis: the role of CD4+ and CD8+ T-cells and the inhibitory effects of interferon-alpha," <i>Eur Respir J Suppl.</i> 13:31s-38s (Apr 1991)		
	C16	GAUCHAT et al., "Regulation of germ-line epsilon transcription and induction of epsilon switching in cloned EBV-transformed and malignant human B cell lines by cytokines and CD4+ T cells," <i>J Immunol.</i> 148(7):2291-9 (Apr 1992)		

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

JAN 17 2002

PTO/SB/8B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	09/963,247		
		Filing Date	September 25, 2001		
		First Named Inventor	Ferrick, David A.		
		Group Art Unit	1646		
Examiner Name					
Sheet	3	of	5	Attorney Docket Number	A-66038-1/RMS/JJD/DLR

RECEIVED

JAN 22 2002

TECH CENTER 1600/2900

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C17	GAUCHAT et al., "Structure and expression of germline epsilon transcripts in human B cells induced by interleukin 4 to switch to IgE production," <i>J Exp Med</i> 172(2):463-473 (Aug 1990)	
	C18	GAUCHAT, J.F. et al., "Modulation of IL-4 Induced Germline ϵ RNA Syntheses in Human B Cells by Tumor Necrosis Factor- α , anti-CD40 Monoclonal Antibodies or Transforming Growth Factor- β Correlates with Levels of IgE Production," <i>International Immunology</i> , 4(3):397-406 (1992)	
	C19	GERONDAKIS S., "Structure and expression of murine germ-line immunoglobulin epsilon heavy chain transcripts induced by interleukin 4," <i>Proc Natl Acad Sci U S A</i> , 87(4):1581-5 (Feb 1990)	
	C20	GONZALEZ-CUADRADO, et al., "Agonistic anti-Fas Antibodies Induce Glomerular Cell Apoptosis in Mice <i>In Vivo</i> ," <i>Kidney Int</i> 51(6):1739-1746 (June 1997)	
	C21	HARPER et al., "The p21 Cdk-Interacting Protein Cip 1 is a Potent Inhibitor of G1 Cyclin-Dependent Kinases," <i>Cell</i> , 75:805-816, (November 19, 1993)	
	C22	HEIDARAN, et al., "Chimeric α - and β -Platelet-derived Growth Factor (PDGF) Receptors Define Three Immunoglobulin-like Domains of the α -PDGF Receptor that Determine PDGF-AA Binding Specificity," <i>J Biol Chem</i> , 265(31):18741-18744 (1990)	
	C23	ICHIKI, T., et al., "Regulation of the expression of human C epsilon germline transcript. Identification of a novel IL-4 responsive element," <i>J. Immunol.</i> 1993 Jun 15; 150(12):5408-17	
	C24	JABARA et al., "Induction of germ-line and mature C epsilon transcripts in human B cells stimulated with rIL-4 and EBV," <i>J Immunol.</i> 145(10):3468-73 (Nov.1990)	
	C25	JARDIEU, "Anti-IgE Therapy," <i>Current Op. Immunol.</i> , 7:779-782 (1995)	
	C26	KAWAGUCHI, et al., "Expression of Fas-estrogen Receptor Fusion Protein Induces Cell Death in pancreatic Cancer Cell Lines," <i>Cancer Lett.</i> , 116:53-59 (1997)	
	C27	KIM, et al., "Construction of a Bifunctional mRNA in the Mouse By Using the Internal Ribosomal Entry Site of the Encephalomyocarditis Virus," <i>Molecular and Cellular Biology</i> , 12(8):3636-3643 (Aug 1992)	
	C28	KRISHNAN, et al., "Dimerization of a Chimeric CD4-interferon- α Receptor Reconstitutes the Signaling Events preceding STAT Phosphorylation," <i>Oncogene</i> , 13(1):125-133 (1996)	
	C29	KUMAR, et al., "Human BCGF-12kD Functions as an Autocrine Growth Factor in Transformed B Cells," <i>Eur Cytokine Netw</i> 1(2):109 (1990)	
	C30	LOH, R.K.S., et al., "Role of protein tyrosine kinases in CD40/interleukin-4-mediated isotype switching to IgE," <i>J. Allergy Clin. Immunol.</i> 1994 Vol. 94(4):784-792	
	C31	LOH, R.K.S., et al., "Mechanisms of inhibition of IgE synthesis by nedocromil sodium: Nedocromil sodium inhibits deletional switch recombination in human B cells," <i>J. Allergy Clin. Immunol.</i> 1996 Vol. 97(5):1141-1150	
	C32	LUO et al., "In vitro IgE production by interleukin 4-stimulated human peripheral blood mononuclear cells is suppressed by rapamycin," <i>Clin Immunol Immunopathol</i> 62(3):410-420 (Dec 1991)	
	C33	MARES, et al., "A Chimera Between platelet-Derived Growth Factor β -Receptor and Fibroblast Growth Factor Receptor-1 Stimulates Pancreatic β -Cell DNA Synthesis in the Presence of PDGF-BB," <i>Growth Factors</i> , 6(2):93-101 (1992)	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

COPY OF PAPER
ORIGINALLY FILED

JAN 17 2002

Please type a plus sign (+) inside this box → ☐

PTO/SB/8B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	09/963,247		
		Filing Date	September 25, 2001		
		First Named Inventor	Ferrick, David A.		
		Group Art Unit	1646		
		Examiner Name			
Sheet	4	of	5	Attorney Docket Number	A-66038-1/RMS/JJD/DLR

RECEIVED
JAN 22 2002
TECH CENTER 1600/290


OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C34	MCBRATNEY, et al., "Internal Initiation of Translation," <i>Current Opinion in Cell Biology</i> , 5:961-965 (1993)	
	C35	MURUVA, et al., "Adenovirus-Mediated Expression of Fas Ligand Induces Hepatic Apoptosis after Systemic Administration and Apoptosis of <i>Ex Vivo</i> -Infected Pancreatic Islet Allografts and Isografts," <i>Hum Gene Ther</i> , 8(8):955 (May 1997)	
	C36	NAVIAUX, et al., "The pCL Vector System: Rapid Production of Helper-Free, High-Titer, Recombinant Retroviruses," <i>Journal of Virology</i> , 70(8):5701-5705 (1996)	
	C37	OHASHI, et al., "Ligand-induced Activation of Chimeric Receptors Between the Erythropoietin Receptor and Receptor Tyrosine Kinases," <i>Proc Natl Acad Sci U S A</i> , 91(1):158-162 (1994)	
	C38	OKUDA, et al., "A Chimeric Receptor/Oncogene that Can be Regulated by a Ligand <i>In Vitro</i> and <i>In Vivo</i> ," <i>J Clin Invest</i> , 100(7):1708-1715 (1997)	
	C39	QIU et al., "Human IgE mRNA expression by peripheral blood lymphocytes stimulated with interleukin 4 and pokeweed mitogen," <i>Eur J Immunol</i> 20(10):2191-2199 (Oct 1990)	
	C40	ROTHMAN et al., "Identification of a conserved lipopolysaccharide-plus-interleukin-r-responsive element located at the promoter of germ line epsilon transcripts," <i>Mol Cell Biol</i> 11(11):5551-5561 (Nov 1991)	
	C41	ROTHMAN, et al., "Structure and expression of germ line immunoglobulin heavy-chain epsilon transcripts: interleukin-r plus lipopolysaccharide-directed switching to C epsilon," <i>Mol Cell Biol</i> 10(4):1672-1679 (Apr 1990)	
	C42	RUDERT, et al., "Apoptosis through CD95 (Fas/APO-1), but Not a CD40/CD 95 Cjo,eroc Receptor, Is Inhibited by phorbol-12-Myristate-13-Acetate," <i>DNA Cell Biol</i> , 16(2):197-205 (1997)	
	C43	RUDERT, et al., "Apoptosis in L929 Cells Expressing a Cd40/Fas Chimeric Receptor: Dissociation of Stimulatory from Inhibitory Death Signaling Functions," <i>Biochem Biophys Res Commun</i> , 204(3):1102-1110 (1194)	
	C44	SCHNEIDER et al., "Characterization of Fas (Apo-1, CD95)-Fas Ligand interaction," <i>J Biol Chem</i> 272(30):18827-18833 (1997)	
	C45	SEEDORF, et al., "Analysis of Platelet-derived Growth Factor Receptor Domain Function Using a novel Chimeric Receptor Approach," <i>J Biol Chem</i> , 266(19):12424-12431 (1991)	
	C46	SHIELDS et al., "Inhibition of Allergic Reactions with Antibodies to IgE," <i>Int. Arch. Allergy. Immunol.</i> 107:308-312 (1995)	
	C47	STARLING, G.C., "Identification of Amino Acid Residues Important for Ligand Binding to FAS," <i>J. Exp. Med.</i> 1997 Vol. 185(8):1487-1492	
	C48	STONE, R., "Molecular 'Surgery' For Brain Tumors," <i>Science</i> , 256:1513 (1992)	
	C49	TAKAHASI, et al., "Swapping Between Fas and Granulocyte Colony-stimulating Factor Receptor," <i>J Biol Chem</i> . 271(29):17555-17560 (1996)	
	C50	TAKEBAYASHI, et al., "Hormone-induced Apoptosis by Fas-Nuclear Receptor Fusion Proteins: Novel Biological Tools for Controlling Apoptosis <i>In Vivo</i> ," <i>Cancer Res</i> , 56(18):4164-4170 (1996)	
	C51	VERCELLI, D. et al., "To E or not to E?," <i>Int. Arch. Allergy Immunol.</i> , 116:1-4 (1998)	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.


 OIPE JC-1085
 JAN 17 2002
 PATENT & TRADEMARK OFFICE

JAN 17 2002

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.				Complete if Known	
Substitute for form 1449B/PTO				Application Number	09/963,247
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date	September 25, 2001
(use as many sheets as necessary)				First Named Inventor	Ferrick, David A.
				Group Art Unit	1646
				Examiner Name	
Sheet	5	of	5	Attorney Docket Number	A-66038-1/RMS/JJD/DLR

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.